WELFARE REFORM COMMITTEE
WELFARE FUNDS (SCOTLAND) BILL
SUBMISSION FROM SOUTH LANARKSHIRE COUNCIL

General

1. Are you in favour of the Bill and its provisions? Do you think the Bill fully achieves the Scottish Government’s aim of providing assistance for short term need and community care?

South Lanarkshire Council is in favour of the Bill. However we understand that further points which are under consideration in the policy instructions have yet to be added to this version. Also, feedback from the National Practitioners Group is that further paragraphs may be added in relation to the addition of a regulation on recovery of items in cases where inaccurate information has been provided to the Council.

2. The interim SWF scheme has already been running for two years. Do you feel that the Bill has suitably taken on the learning from this time?

The Council is of the view that the Bill has taken on lessons learned from the operation of the interim scheme which has been running for 15 months at the point of writing this response. However we would welcome the additional paragraphs mentioned above in relation to recovery of items.

3. Is there anything else that you feel should be included in the Bill?

No see answers to 1 and 2 above.

4. Will the Bill and its provisions have a particular impact on equalities groups?

The Council does not envisage any circumstances where the Bill will impact directly on any specific equalities group, as the content of the Bill and the regulations should ensure that fairness and consistency is applied in the operation of the permanent scheme.

Administration of Welfare Funds

5. Do you agree with the proposal that local authorities have the option to outsource the provision of the fund to a third party or jointly administer the fund across local authority boundaries? What are the benefits or drawbacks to this approach?

The Council agrees with the proposal to allow local authorities the option to outsource or to jointly administer the fund across local authority boundaries. This provides local authorities with a degree of flexibility and allows the opportunity to combine resources with neighbouring authorities if deemed
appropriate at a later date. However a great deal of success from the service provision to date has been the ability to coordinate information on a local basis from officers and information held in other departments of the Council. This has permitted the targeting of grants towards to those in most need and a more centralised approach may increase the risk of this being diluted.

Review of decisions and the SPSO

6. What are your views on the proposed internal local authority review process?

The Council agrees with the proposed internal review process, which is no different to the process currently in place at present with the interim scheme.

7. Do you agree that the SPSO is the appropriate body to conduct secondary reviews?

In our previous response South Lanarkshire Council selected the SPSO as the third option for the second tier review process, mainly due to the fact that in its current form the SPSO does not have the power to enforce a different decision on local authorities. It is noted from the content of the Bill and draft regulations that the SPSO will be given the power to direct and overturn decisions made by local authorities. However a note of caution should be highlighted with this proposal in that the SPSO must recognise that the SWF is a discretionary fund which is cash limited. There is also concern with regards to where the funding for this new service will come from and we note that administration funding for councils has only been extended at its current level to 2015/16.

Further provision – regulations

8. What are your views on the level of detail that will be contained within the regulations? Is there any aspect which you feel would benefit from being on the face of the Bill?

We feel that the following should be included within the regulations and reference made within the Bill:

- Form, manner and procedure for making an application
- Provision of information in support of applications
- Maximum savings thresholds
- Capital to be disregarded
- Descriptions of priority ratings
- Vulnerabilities which attract priority in decision making
- Reporting requirements
- Recovery of items claimed through dishonest means
Financial Memorandum

9. Do you think that the costs attributed to the running of the fund and the set-up of the SPSO to administer secondary reviews are realistic and proportionate?

The Council welcomes the decision to extend administrative funding to 2015/2016 at the existing level of £5m. Based on service demand at South Lanarkshire Council, any reduction to administrative funding would have a detrimental impact on our ability to assess and award grants within the target timescales. Further information on the requirements for funding of up to £0.4m for SPSO would be welcomed given the relatively low volumes of second tier reviews that are currently being dealt with. It should also be noted that South Lanarkshire does not anticipate any savings to administrative costs as a result of Second Tier reviews being administered by the SPSO and, as stated previously, any reduction to administrative costs will have an adverse impact on the service to claimants.

Other provisions

10. Do you have any comments on any other provisions contained in the Bill that you wish to raise with the Committee?

No

Patrick Murphy
Head of Support Services
South Lanarkshire Council
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